

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI**

**Appeal No.08 of 2025 (SZ)**

**IN THE MATTER OF:**

M/s. Rockfield Estates Private Limited,  
Kerala.

... Appellant

***Versus***

SEIAA, Kerala,  
Through the Member Secretary,  
Kerala and Anr.

... Respondents

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Dated at Chennai on this 05<sup>th</sup> day of September, 2025



**COUNSEL FOR RESPONDENT No.1**

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**REPLY STATEMENT ON BEHALF OF THE 1<sup>ST</sup> RESPONDENT**

I, Chandraprasad KK, aged 52 Years, S/o. C.N Karunakaran, working as Legal Officer, SEIAA at Thiruvananthapuram, do hereby solemnly affirm and sincerely state as follows: -

I am well acquainted with the facts of the case from the available records and I am authorized to file this reply statement on behalf of the Respondent No.1. I crave leave of the Hon'ble Tribunal to file statement as and when additional facts are available to the Respondents.

1. It is respectfully submitted that, the appeal has been filed with respect to the Environmental Clearance (EC) dated 26.07.2024 issued to M/s Rockfield Estates Pvt. Ltd. for the Granite Building Stone Quarry Project in Chengalam East Village, Kottayam District, Kerala. The EC application, originally submitted under Proposal No. SIA/KL/MIN/175300/2020, was scrutinized through an extensive appraisal process by the State Expert Appraisal Committee (SEAC) in its 129<sup>th</sup>, 131<sup>st</sup>, 133<sup>rd</sup>, 134<sup>th</sup> and 135<sup>th</sup> meetings. The SEAC also conducted a field inspection on 19.09.2022 and found that the project area is **adjacent to an abandoned quarry formerly operated by M/s Palathara Constructions Pvt. Ltd., a company sharing**

**the same address and directors as M/s Rockfield Estates Pvt. Ltd.**, raising concerns of continuity of operations under a new name. In the meantime, concerns were raised by Sri. Sajan George and another, before the Hon'ble National Green Tribunal (NGT) in O.A. No. 56/2022, alleging that the owners of M/s Palathara Constructions Pvt. Ltd. had established a new company, M/s Rockfield Estates Pvt. Ltd., and applied for a fresh Environmental Clearance for a project in the adjoining area. Allegations included abandoned quarry pits without mine closure, continuation of the same operations under a different name; and identical addresses for both entities.

2. It is respectfully submitted that, despite the pendency of O.A. No. 56/2022, SEAC, in its 135<sup>th</sup> meeting, recommended the grant of EC with specific and general conditions. The proposal was then considered by SEIAA in its 122<sup>nd</sup> meeting held on 07.01.2023 and observed that the project site of M/s Rockfield Estates Pvt. Ltd. is adjacent to a previously mined and abandoned quarry operated by M/s Palathara Constructions Pvt. Ltd. Crucially, M/s Rockfield Estates Pvt. Ltd. shares the same correspondence address, management, and directors with M/s Palathara Constructions Pvt. Ltd. ***The Google Earth Imagery is enclosed as Annexure R1 A.*** In view of the environmental violations by M/s Palathara Constructions, the matter has been referred back for verifying the compliance status of earlier EC conditions. Based on further field inspection it is observed that

1. No benches are found as per the mine plan.
2. Buffer zone also is mined out
3. As per the directions of Department of Mining and Geology, the proponent has paid the pending amount of Rs. 3,63,71,064 for excess/ reserve material mined out.
4. Department of Mining and Geology has been agreed for the mine closure plan submitted (Letter from the DMG No. 1606/DOY/ML/2017 dt. 04.03.2023)



5. The mine closure has been completed (DMG No. 1606/DOY/ML/2017 dt. 04.03.2023; No. 1606/DOY/ML/2017 dt. 20/04/2023 and surrendered the lease on 19.04.2023)
6. A building is located at 51.5m from the nearby boundary of the proposed site of Rockfield Estates Pvt. Ltd.
7. The depth of the abandoned quarry is around 5m at most of the areas and the very old pit is having depth more than that. The oldest pit and the part of the pit created by Palathara constructions Pvt. Ltd. is kept as rainwater harvesting pond as per the mine closure plan.
8. The harvested rain water is utilised by the local government occasionally for distributing to local people.
9. One part of the pit (south west corner) is filled with earth material where planting is started.

3. It is respectfully submitted that, in these circumstances, the Authority observed that M/s Palathara Constructions had committed serious violations, including over-extraction, absence of benches, and mining within buffer zones. The Taluk Surveyor reported **excess quarrying of approximately 5,03,764.775 MT** of granite building stone, for which the Department of Mining and Geology levied a penalty of Rs. 13.878 Crores. While the mine closure plan for M/s Palathara Constructions Pvt. Ltd., has been accepted by the Department of Mining and Geology and the lease surrendered, their past actions demonstrate a clear pattern of severe environmental non-compliance. However, SEAC reiterated its recommendation in the 163<sup>rd</sup> meeting, adding a condition requiring a 4-meter-high protective wall, while also flagging the need to expedite environmental damage assessment against M/s Palathara Constructions.

SEIAA, in its 142<sup>nd</sup> meeting, noted that the project proponent had formed M/s Rockfield Estates with identical directors and correspondence address to evade liability for the violations committed by M/s Palathara

Constructions. Following the Hon'ble High Court's judgment dated 21.12.2023 in WP(C) No. 28127/2023, which directed the SEIAA to consider M/s Rockfield Estates Pvt. Ltd.'s application expeditiously, and the Hon'ble NGT's Judgment dated 10.01.2024 in O.A. No. 56/2022, which concluded that,

*“16. Due to the fact that the project itself is over, no mining activities are taking place as of now and the concerned authorities have taken appropriate action, no separate orders are required in the original application.”*

The Authority granted EC for three years subject to specific conditions, including the fulfillment of statutory actions and environmental compensation concerning the violations by M/s Palathara Constructions, as per the order dated 10.01.2024 in O.A. No. 56/2022 passed by this Hon'ble Tribunal. Notably, as per Specific Condition No. 2 to the EC, the Department of Mining and Geology was restrained from issuing transport permits to M/s Rockfield Estates unless the pending actions against M/s Palathara Constructions were fully complied with. Subsequently, the Appellant approached SEIAA seeking deletion of Condition No. 2 and a personal hearing, which was granted in the 153<sup>rd</sup> SEIAA meeting. During the appraisal of M/s Rockfield Estates Pvt. Ltd.'s EC application, the SEIAA expressed grave concern regarding the large abandoned quarry pit of M/s Palathara Constructions Pvt. Ltd. in close proximity, noting the unscientific nature of the previous mining and the potential danger to life and property. Additionally, concerns regarding both entities were raised before the Hon'ble National Green Tribunal (NGT) in O.A. No. 56/2022, where a prima facie case was established against both M/s Palathara Constructions Pvt. Ltd. and M/s Rockfield Estates Pvt. Ltd.

4. It is respectfully submitted that, following the Hon'ble High Court's judgment dated 21.12.2023 in WP(C) No. 28127/2023, which directed the SEIAA to consider M/s Rockfield Estates Pvt. Ltd.'s application expeditiously, and the Hon'ble NGT's judgment dated 10.01.2024 in O.A. No. 56/2022, which concluded that "no separate order in the original petition as project itself is over and the concerned authorities have taken appropriate action,"

the SEAC re-evaluated the proposal. ***During the appraisal, the Appellant (M/s Rockfield Estates Pvt. Ltd.) admitted their connection with M/s Palathara Constructions Pvt. Ltd.*** by stating they were awaiting clarification on NGT directions to commence environmental damage assessment for the latter.

5. It is respectfully submitted that, based on the comprehensive scrutiny, including multiple field inspections, review of public complaints, and Judicial directives, the SEIAA decided to grant EC to M/s Rockfield Estates Pvt. Ltd. for a period of three years, but only subject to the completion of actions against the violations committed by M/s Palathara Constructions Pvt. Ltd. This crucial Specific Condition No. 2 stipulates that the Department of Mining and Geology shall not issue transport permits to M/s Rockfield Estates Pvt. Ltd. until the environmental damage assessment is conducted by a NABET Accredited Agency, and the compensation for environmental damages caused by M/s Palathara Constructions Pvt. Ltd. is fully assessed and recovered. This condition directly addresses the prior violations, the shared ownership and operational history, and the potential for similar environmental damage.

6. It is respectfully submitted that, the imposition of Specific Condition No. 2 is not arbitrary, but a necessary regulatory safeguard aligned with the precautionary principle under Environmental Law. The SEIAA has a statutory obligation to prevent the recurrence of violations and to ensure environmental sustainability, particularly given the shared boundaries and management of these projects. The SEIAA has acted within its mandate under the EIA Notification, 2006, and the principles of sustainable environmental governance by conditioning further operations on the fulfilment of liabilities arising from past violations. The Appellant's contention that the SEIAA failed to distinguish between the two entities is incorrect, as the linkage was evident and acknowledged. The Appellant was



afforded ample opportunity to present their case during the appraisal process.

7. It is respectfully submitted that, Specific Condition No. 2 is judicious and indispensable to ensure environmental accountability and prevent the perpetuation of environmental harm in the region. Any request to alter or remove this condition falls within the purview of the Hon'ble National Green Tribunal under Section 16 of the NGT Act, 2010, confirming that the SEIAA has acted strictly within its powers. The **linkage between M/s Rockfield Estates and M/s Palathara Constructions is evident from the facts on record: both companies share the same correspondence address, project directors, and contiguous project sites.** Environmental Clearance issued to M/s Palathara Constructions on 03.02.2016 (later transferred from Sri Charles Mathew) was followed by serious non-compliance as recorded in field inspections conducted on 24.10.2019 and 09.03.2023. **Violations included illegal expansion, non-compliance with buffer norms, benching requirements, and over-extraction of more than 5 lakh MT of granite beyond the permissible limits, for which DMG imposed a penalty of ₹13.878 Crores. SEIAA directed an environmental damage assessment by a NABET-accredited agency, which is still pending.**

8. It is respectfully submitted that, given the continuity of management, proximity of sites, and shared operational history, SEIAA rightly imposed a safeguard in Condition No. 2 to prevent recurrence of environmental violations. The condition mandating withholding of permits until compliance by the sister concern is not arbitrary but is grounded in the precautionary principle of environmental jurisprudence. The EC granted to the Appellant is thus conditional and cannot be treated as unconditional approval for commencement of mining operations.

9. It is respectfully submitted that, the Appellant's contention that, SEIAA has conflated two separate entities is misconceived. The Appellant had admitted its association with M/s Palathara Constructions during

proceedings before SEAC. Furthermore, the Hon'ble High Court of Kerala in WP(C) No. 28127/2023 had directed SEIAA to consider the EC application of M/s Rockfield Estates after hearing all stakeholders, which was complied with in due process. This Hon'ble Tribunal in its judgment dated 10.01.2024 in O.A. No. 56/2022 also noted that appropriate action had been initiated by the authorities. However, the environmental damage assessment and recovery of compensation are still pending, justifying the retention of Condition No. 2 in the EC granted to the Appellant.

In light of the above facts and circumstances, the 1<sup>st</sup> Respondent respectfully submits that the imposition of Specific Condition No. 2 is legally justified and necessary to ensure accountability for past violations, and to safeguard against environmental harm in the future. The Authority has acted within its statutory mandate under the EIA Notification, 2006 and has appropriately exercised its discretion in the interest of environmental protection and public welfare. Any modification or removal of the said condition falls within the exclusive jurisdiction of the Hon'ble National Green Tribunal under Section 16 of the NGT Act, 2010.

Under the above circumstances, it is humbly prayed that this Hon'ble Tribunal may be pleased to dismiss the plea and pass such order or orders as this Hon'ble Tribunal may deem fit and proper in circumstances of the case and thus render justice.

Dated at Chennai on this the 20<sup>th</sup> day of August, 2025.



**RESPONDENT NO. 1**

**Chandraprasad K. K.**

**(PEN: 123636)**

**Deputy Secretary to Govt. &**

**Legal Officer, State Environment**

**Impact Assessment Authority**

**KSRTC Bus Terminal Complex, Thampanoor  
Thiruvananthapuram-1**

**VERIFICATION**

I, Chandraprasad KK, aged 52 Years, S/o. C.N Karunakaran, working as Legal Officer, SEIAA at Thiruvananthapuram, do hereby verify that the contents of above paras are true to the best of my personal knowledge and paras believed to be true on legal advice and that I have not suppressed any material fact.

Verified at Chennai on this the 20<sup>th</sup> day of August, 2025.



*Prasad*

**RESPONDENT NO. 1**

**Chandraprasad K. K.**  
(PEN: 123636)

Deputy Secretary to Govt. &  
Legal Officer, State Environment  
Impact Assessment Authority  
KSRTC Bus Terminal Complex, Thampanoor  
Thiruvananthapuram-1.

# M/s Rock Field Estate Ltd and M/s Palathara Constructions

**Legend**

- BP1
- Palathara Constructions
- Reserve Forest
- ROCKFIELD ESTATES PVT.LTD.

ROCKFIELD ESTATES PVT.LTD. ↓

Kizhakkayil House

Nayiplavu Quarry

PALATHARA CONSTRUCTIONS

Naiplavu Bus Stop

Gengalam - Paika Road

